

Remarks

The present Response is to the Office Action mailed 11/12/2009. Claims 23-26, 28-38, and 40-46 are standing for examination, and new claims 47-73 are added.

From the action:

With respect to the 35 USC 112, 1st rejections of claim 35, the Applicants amended the Specification to overcome the rejection. The Applicant's amendment of the Specification provides further evidence that the rejection contains new matter, which was not disclosed at the time of filing of the application. The Applicants were requested Application/Control to show support for such amendment. However, no support was provided. Hence, the rejection is maintained.

Applicant's response:

Applicant disagrees that the amendment to the spec added new matter. The amendment added description that was not in the originally filed specification, but the description was of material that would be well-known by a skilled artisan to be present in the system described and enabled in the original specification. Nevertheless, applicant has again amended the specification to remove the added description.

From the action:

Claim Objections

6. Claim 55 is objected to because of the following informalities: Claim 55 should be dependent upon claim 54, which introduces the conflict module. Appropriate correction is required.

7. Claim 70 is objected to because of the following informalities: Claim 55 should be dependent upon claim 63, which introduces the virtual realization. Appropriate correction is required.

Applicant's response:

Applicant agrees that claim 55 should depend from claim 54, not from claim 53. As claim 55 is indicated elsewhere as patentable if combined with claim 47 and intervening claim 54, applicant has amended claim 47 with the limitations of both claim 55 and 54, and has cancelled 54 and 55.

In regard to the statement that claim 55 should depend from claim 63, applicant is sure the examiner meant claim 70 should depend from claim 63, and has made the proper amendment to correct the dependency.

From the action:

Merit Rejections and applicant's response:

The examiner has made a number of merit rejections, and has also indicated patentability requiring claim amendments. As the applicant has elected to accept the offer of patentability, and has cancelled the otherwise rejected claims, the merit rejections are moot, and are not discussed further in this response.

From the action:

Allowable Subject Matter

17. Claims 55 and 57-69 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's response:

Applicant has herein combined the limitations of claims 54 and 55 with claim 47, providing a patentable claim, and has cancelled claims 54 and 55, as well as all

claims not allowable according to the examiner's reasoning. Several amendments have been made to correct dependency necessitated by the cancellation of claims 54 and 55.

Applicant believes claims 48-53, and claims 56-70 to now be patentable as well, as all of these claims depend now from a patentable claim.

Summary

As all of the claims, as amended have been shown to be patentable over the art cited and applied, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully submitted,
Bernd Schonebeck

By */Donald R. Boys/*
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755